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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-751

13 **JEANNINE LURIE, a.k.a. JEANNINE**  
14 **DIANNE ELTON, a.k.a. JEANNINE**  
15 **ELTON LURIE**  
20630 Pacific Coast Highway  
Malibu, CA 90265

**A C C U S A T I O N**

16 **Registered Nurse License No. 374044**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about September 30, 1984, the Board of Registered Nursing issued Registered  
25 Nurse License Number 374044 to Jeannine Lurie, also known as Jeannine Dianne Eldon, also  
26 known as Jeannine Eldon Lurie (Respondent). The Registered Nurse License expired on  
27 February 28, 2006, and has not been renewed.  
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1 DANGEROUS DRUGS

2 8. Code section 4022 provides:

3 “‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self-use in  
4 humans or animals, and includes the following:

5 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without  
6 prescription,’ ‘Rx only’ or words of similar import.

7 “(b) Any device that bears the statement: ‘Caution: federal law restricts this device to sale  
8 by or on the order of a \_\_\_\_\_,’ ‘Rx only,’ or words of similar import . . .

9 “(c) Any other drug or device that by federal or state law can be lawfully dispensed only on  
10 prescription or furnished pursuant to Section 4006.”

11 9. Mirtazapine is an antidepressant medication and is used primarily in the treatment of  
12 depression and other mood disorders. It is a dangerous drug under Code section 4022.

13 10. Hydroxyzine is an antihistamine that reduces activity in the central nervous system.  
14 It is primarily used as a sedative to treat anxiety and tension. It is a dangerous drug under Code  
15 section 4022.

16 11. Olanzapine, also known by its trade name Zyprexa, is an atypical antipsychotic  
17 primarily used for the treatment of schizophrenia and bipolar disorder. It is a dangerous drug  
18 under Code section 4022.

19 COST RECOVERY

20 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
21 administrative law judge to direct a licensee found to have committed a violation or violations of  
22 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
23 enforcement of the case, with failure of the licensee to comply subjecting the license to not being  
24 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
25 included in a stipulated settlement.  
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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct – Out of State Discipline)

3 (Bus. & Prof. Code § 2761, subd. (a)(4))

4 13. Respondent has subjected her registered nurse license to discipline under Code  
5 section 2761, subdivision (a)(4), in that on or about April 20, 2010, in a disciplinary action before  
6 the Board of Regents of University of the State of New York (“New York Board”), Original Vote  
7 and Order No. 24962, the New York Board voted to adopt Respondent’s application for a  
8 Consent Order. The Consent Order suspended Respondent’s New York registered nurse license  
9 for 2 years. The execution of the last 23 months of the suspension was stayed, and Respondent  
10 was placed on probation for 2 years, under various terms and conditions. The terms and  
11 conditions of Respondent’s probation required her to: (1) be in compliance with the standards of  
12 conduct prescribed by the law governing her profession; (2) submit written notification to the  
13 New York Board of any change in employment, practice, residence, telephone number, or mailing  
14 address; (3) have her employer submit quarterly performance reports to the New York Board;  
15 (4) submit a report once every 3 months during the period of probation from a New York Board-  
16 approved psychiatrist stating whether she is fit to practice as a registered professional nurse;  
17 (5) submit written proof of payment of all registration fees owed to the New York Board;  
18 (6) submit written proof to the New York Board that she is currently registered with the New  
19 York Board and pay any fines which were previously imposed upon her; and (7) make quarterly  
20 visits to an employee of the New York Board.

21 14. The New York Board’s disciplinary action was based upon the charges set forth in its  
22 “Specification of Professional Misconduct,” which Respondent did not contest. The Specification  
23 of Professional Misconduct charged Respondent with committing unprofessional conduct in that  
24 on diverse dates in 2008, while Respondent was employed and on duty as a registered  
25 professional nurse at Terence Cardinal Cooke Health Care Center in New York, New York, she  
26 stole quantities of the prescription-only drugs Mirtazapine, Hydroxyzine, and Olanzapine from  
27 the facility for her personal use.  
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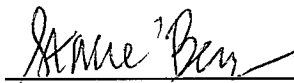
PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 374044, issued to Jeannine Lurie, also known as Jeannine Dianne Eldon, also known as Jeannine Eldon Lurie;
2. Ordering Jeannine Lurie, also known as Jeannine Dianne Eldon, also known as Jeannine Eldon Lurie to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED:

March 13, 2013

  
fr LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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